

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

PETE V. DOMENICI UNITED STATES COURTHOUSE  
333 LOMAS BLVD, N.W., SUITE 660  
ALBUQUERQUE, NEW MEXICO 87102  
TELEPHONE: (505) 348-2280  
FACSIMILE: (505) 348-2285



JAMES O. BROWNING  
District Judge

July 28, 2023

Marc H. Robert  
P.O. Box 25271  
Albuquerque, NM 87125

Ronald Gainor  
10722 Ashford Circle  
Highlands Ranch, CO 80126

Jane Greek  
P.O. Box 15191  
Las Cruces, NM 88004

Jose R. Coronado  
125 W. Griggs Avenue  
Las Cruces, NM 88001

Maria Y. Armijo  
Randy M. Castellano  
Ryan Ellison  
United States Attorney's Office  
200 N. Church Street  
Las Cruces, NM 88001

Re: Defendant Robert Padilla's Motion for Recusal, Filed July 17, 2023  
(Doc. 103), in United States v. Padilla, et al., No. 22-CR-0634 JB

Counsel:

Given Defendant Robert Padilla's recently filed Motion for Recusal, filed July 17, 2023 (Doc. 103), I want to bring everyone up to date with recent information so that everyone has the same information and can make informed decisions whether I should remain on the case.

While I was in Berkeley, California, at an intellectual property seminar from Tuesday, May 23, 2023, to Friday, May 26, 2023, I received two calls from Deputy United States Marshal Sergio Hermosillo. In the first call, Deputy Hermosillo said that the U.S. Marshals tip line had received a call saying that the old threat against me (and perhaps others) was back on. I do not know if Deputy Hermosillo told me the tipster's name, but I have learned that it is Phillip Garcia. The



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Marshals tried to talk to Mr. Garcia, but he wanted to talk only to FBI Special Agent Bryan Acee. At some point, in the first call or the second call, Deputy Hermosillo told me that Agent Acee was out of town. To my knowledge, Agent Acee still has not talked to Mr. Garcia.

My memory is that, in the second call that week, Deputy Hermosillo told me that they consider this tip an inactive threat. Deputy Hermosillo has relayed that Agent Acee believes Mr. Garcia may not be truthful on this issue, but the Court has re-reviewed the Presentence Report for Mr. Garcia, filed June 24, 2016 (Doc. 94), in United States v. Garcia, No. 07-CR-0788 JB, and does not see any indication of mental health issues for Mr. Garcia. No one has implemented any additional security measures as a result of this tip.

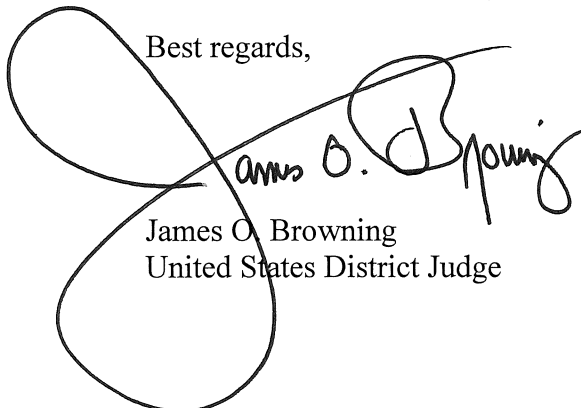
I attach a letter from Mr. Garcia to me (postmarked February 17, 2021), filed March 10, 2021 (Doc. 195), in United States v. Garcia, No. 07-CR-0788 JB. I read the letter, as initialed with month and date in the lower right-hand corner, but it was not clear to me that he was talking about me. In any case, you can judge what his statements mean.

Also attached is a second letter that Mr. Garcia recently sent to me (postmarked June 7, 2023), filed June 9, 2023 (Doc. 225), in United States v. Garcia, No. 07-CR-0788 JB. I am not sure I saw the letter until the last couple of weeks; when the letter came in to the case administrator, it was filed under seal, because Mr. Garcia's attorney had asked that similar letters be filed under seal.

While everyone will need to judge for himself or herself, my opinion is that Mr. Garcia's tips about the alleged threats are not credible. While the U.S. Marshals have to take all threats seriously and investigate, they have not asked me to take any special precautions, and I do not, on my own, take any special precautions. My understanding is that Mr. Garcia has a brother in federal custody in California, and my impression is that he thinks Agent Acee can help his brother. That Mr. Garcia wants to talk to Agent Acee and not to the U.S. Marshals suggests to me that Mr. Garcia is more interested in helping his brother than helping protect me or anybody else. This revival of his old rumor is a ploy to get to talk to Agent Acee. I do not think Mr. Padilla has threatened to kill me or has wanted to kill me.

Let me know if anyone needs or wants more information from me.

Best regards,

A large, stylized handwritten signature in black ink, appearing to read "James O. Browning". The signature is written over the typed name and title.

James O. Browning  
United States District Judge

court date.

To: Honorable James O. Browning

AUSA DAVID WALSH

From: Phillip Angel Garcia

Rec'd

3/4/2021

RAB

3/7/21

This correspondence in regards to my current situation, which includes my cooperation with the United States on several issues, but most important my cooperation in a murder of a government informant, which was a assassination called upon by the Sindicato de Nuevo Mexico. This same group of Terrorist have now targeted a USA prosecutive and a FBI Special Agent.

I understand that at this moment it is essential that I stay alive long enough to testify in the assassination of Leary Lucca, to which Robert Corbin Padilla and Gary Coca carried out the assassination for the SNM.

The purpose for this letter is to notify the court, the United States Atty and all agencies, more specific the FBI and the DEA that after my completion of testimony in the murder case, I wish to continue to aid both the FBI and DEA in the fight against gangs and heavy drug movement.

I have now laid out a career of gangs, drugs, violence and prison. The last 26 years I have been in a correctional facility or prison environment. Throughout these 26 years, just as your honor is a Genius at your job, and the prosecutive a expert in his field, I have also observed every aspect of gang drugs and

RAB 3/7/21

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prison. I can get to places not even the best of the best Under cover Agent can get, with my record, my appearance, just my natural movements and speech. I'm at the end of my sentence for the crimes I have committed and with my testimony my Federal sentence expires.

But in all honesty, I have 11 felony convictions, most violent offenses, and point blank its very very doubtful I can land a career at my age and record that I will be successful at.

I have many talents, but what I know most in life is the criminal aspect of life. I don't say this with pride, but just honesty. With the knowledge and understanding of the law I can be a very very productive informant both for the FBI and the DEA, not only here in NM but nationwide. With my appearance and natural speech I can get into impossible places no Agent can.

It may sound strange but I take pride knowing that I am taking part in dismantling the SNM and detouring the plot to murder /assault government officials.

As I stated, we have our deal with the government and my testimony on the instant case and after I have no criminal matters pending, and with that I can work as a informant, which is

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What I am asking to be considered for.

In all honesty, 26 years of prison and being involved in gangs and drugs since a very young age there is not much I don't know about the lifestyle.

I understand that at this moment I must stay alive long enough to testify on the Lucca murder, and I don't make believe I can save or change the world, but I can make a huge difference and use what Satan has used for bad and turn it into good.

There is not one single thing I can say I have done right in my life, but being a CI, I know I can help the government in an extreme way. I plan on also writing a book about my entire life, to include a book that I hope can be used in every penal institution for officers both old and new can equal out the force in corrections. Again 26 years in prison, there is not much I don't know about prison. I thank you for your time and help in this matter.

RESPECTFULLY,

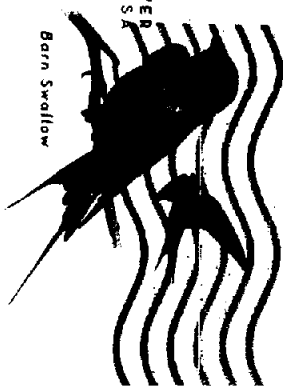
Shelly Garcia

Correctional Facility Newby County  
Inmate Name Willie Garcia  
Address Decatur DE 2535  
City/State/Zip Gallup, NM 87301

ALBUQUERQUE NM 870

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FOREVER  
U.S.



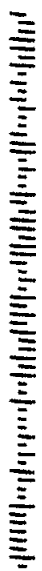
Barn Swallow

United States Federal Courthouse  
Honorable James O. Browning  
333 Lomas Blvd NW

Albuquerque, New Mexico

87102

87102-220560



LEGAL  
MAIL

McDon  
CM/SCF  
3/1/21

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JUN 02 2023

07cr788 JB

MITCHELL R. ELPERS  
CLERKTo Honorable Judge James O. Browning  
From Phillip Angel Garcia 40092-051

Honorable Judge Browning,  
Sir please be  
advised I have now taken the steps  
of notifying the USMS and the FBI  
as once again the SNM and certain  
other members are plotting against  
federal authorities as yet again more RICO  
cases have been mounted.

I previously advised my lawyer at  
the time Susan Burgess Farrell that the  
government and authorities were mistaken if  
they believed the SNM were defunct.

I provided Jesse Young<sup>"LOBO"</sup>, Ike Young and  
"Panfillos" name as the up and coming  
members to take charge.

Unfortunately my information was  
halted as the Bureau decided my help  
was no longer needed because I messed  
up and disclosed to certain members  
of my family of my cooperation with  
the FBI.

I now know A Justina Garcia

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Whom Is From Las Vegas New Mexico and was involved with Robert Corbin Padilla, Is The Family member whom disclosed this To Robert Padilla. She Is Married To My Cousin Brandon Garcia. This female must Be Brought To Authorities Attention As She Is One Involved With Robert Padilla and Is The Route of Roberts continued crimes.

A Johnathan Padilla, whom Is The Family Member Of Robert Padilla, whom Is The Ace Witness In My pending Case, Has Fabricated This Case Against Me, Saying I Had A Firearm And Bullet Proof Vest.

I was Contacted By Robert Padilla ~~and~~ my Brother, whom Is In The FBOP was Threatened IF I Do Not Recant my statements In Regards To The Murder case of "LeRoy Luceo" AKA Smurf And they wish my involvement In helping them In plans To pursue there relentless efforts To Harm Government officials.

AT First I took things just AS , IF I Dont Recant, I will Be



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Falsely convicted, which I am not stressing as Video Footage clearly shows I never had Body Armor nor a weapon, Jonathan Padilla, on Roberts orders set me up.

But I was in communication with several FBOP inmates who confirmed the SNM plans. Raul Leon "Huczo Sherm", Big Joe and Big Al confirmed the SNM is again plotting. And Robert Padilla said he wanted another informant murdered, to be shot with a 227 rifle just as "Smurf" was assassinated.

So Judge Browning I am informing you as the Young Brothers and their crew are awaiting RICO cases in front of you, precaution should be well well taken and as I learn more I will immediately disclose to the FBI.

Again for my cooperation, I ask nothing in return, except as the first time, I was not believed at first, and I wish for all the facts come to light about Robert Padilla's family member Jonathan Padilla setting me up

on my open case. Thank You For Your  
Time And your Help.

RESPECTFULLY,

Chely Goss

Phillip Garcia

100 Deputy Dean Mican SW

Albue, NM

87151

**RECEIVED**

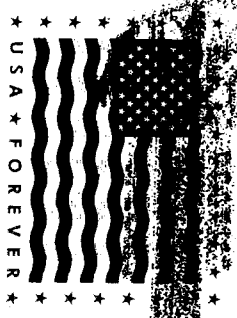
UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JUN 09 2023

MITCHELL R. ELFFERS  
CLERK

ALBUQUERQUE NM 87102

7 JUN 2023 PM 3 L



United States District Court

Honorable James O. Browning  
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Albue, NM

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